

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30791

LAWRENCE CHILDRESS,

Plaintiff-Appellant,

versus

M. I. DRILLING FLUIDS, L.L.C.,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Louisiana
(95-CV-2141)

January 30, 1997
Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM*:

Lawrence Childress appeals the summary judgment awarded M. I. Drilling Fluids, L.L.C. concerning the termination of his employment with M. I. Drilling on 8 August 1994. On 31 October 1995, Childress filed a charge with the EEOC, claiming violation of the Age Discrimination in Employment Act, 29 U.S.C. 621; the charge was filed far more than 180 days after he received the notice of termination.

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

The EEOC charge was untimely, for essentially the reasons stated by the district court. *Childress v. M. I. Drilling Fluids, L.L.C.*, (95-CV-2141)(17 July, 1996)(unpublished); see also *Blumberg v. HCA Management Co., Inc.*, 848 F.2d 642 (5th Cir. 1988), *cert. denied*, 488 U.S. 1007 (1989).

AFFIRMED